

### **Remarks**

Claims 1, 3-13 and 15-23 are currently pending in the Application and Claims 3 and 15 are herein canceled without prejudice.

### **Summary of claim amendments**

This response amends Claims 1 to recite features of Claims 3 and 10.

This response amends Claims 13 to recite features of Claims 15 and 20.

This response cancels Claims 3 and 15 without prejudice.

### **35 U.S.C. §103(a) rejection**

Claims 1, 3-13 and 15-23 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Cornelius (U.S. Patent No. 7,069,234) and further in view of Pare (U.S. Patent No. 6,230,148). Applicant respectfully disagrees. Applicant submits that a *prima facie* case of obviousness has not been established because Cornelius and Pare do not teach each and every element as claimed in the present application.

### **Claim 1**

Applicant submits that Cornelius and Pare do not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 1 of the present application:

“wherein: the selling office information database accumulates information with regard to the commodity selling office site; the check issuing demanding information includes information with regard to the commodity selling office site; the electronic check managing server comprises a selling office credit judging means for judging whether the credit information with regard to the commodity selling office site transmitted from the user terminal, is stored in the selling office information database or not in the case that the electronic check managing server receives the check issuing demanding information transmitted from the user terminal; the electronic check managing site comprises a distributing company information database for accumulating the information with regard to the distributing company site; the check issuing

demanding information includes the information with regard to the distributing company site; the electronic check managing server comprises a distributing company credit judging means for judging whether the credit information with regard to the distributing company site transmitted from the user terminal is stored in the distributing company information database or not in the case that the electronic check managing server receives the check issuing demanding information transmitted from the user terminal; a check data transmitting means of the electronic check managing server creates the electronic check data, of which issuance is demanded, in the event that the credit judging device judges that there is no problem with respect to the credit of the user, the selling office register judging means judges that the information with regard to the commodity selling office site is registered therewith, and the distributing company register judging device judges that the information with regard to the distributing company site is registered, after these judging process, transmits the electronic check data”

If the Examiner does not agree, the Examiner is encouraged to comply with 37 C.F.R. §1.104(c)(2) by designating “as nearly as practicable” where at least these features are disclosed in the cited art. Otherwise, the rejection should be withdrawn and Claim 1 be allowed. Claims 4-12, at least based on their dependency on Claim 1, are also patentable over Cornelius and Pare.

#### Claim 13

Applicant submits that Cornelius and Pare do not disclose, suggest or teach, *inter alia*, the following features recited by amended Claim 13 of the present application:

“wherein: the electronic check managing site comprises a selling office information database for accumulating the information with regard to the commodity selling office site; the check issuing demanding information includes the information with regard to the commodity selling office site; the electronic check managing server comprises a selling office credit judging process for judging whether the credit information with regard to the commodity selling office site transmitted from the user terminal is stored in the selling office information database or not; the electronic check managing site comprises a distributing company information database for accumulating the information with regard to the distributing company site; the check issuing demanding information includes the information with regard to the distributing company site; the electronic check managing server comprises a distributing company credit judging process for judging whether the credit information with regard to the distributing company site transmitted from the user terminal is stored in


the distributing company information database or not; the check data transmitting process creates the electronic check data, of which issuing is demanded, in the case that the credit judging device judges that there is no problem with respect to the credit of the user, the selling office register judging process judges that the information with regard to the commodity selling office site is registered, and the distributing company register judging device judges that the information with regard to the distributing company site is registered, after these judging process, transmits the electronic check data”

If the Examiner does not agree, the Examiner is encouraged to comply with 37 C.F.R. §1.104(c)(2) by designating “as nearly as practicable” where at least these features are disclosed in the cited art. Otherwise, the rejection should be withdrawn and Claim 13 be allowed. Claims 16-23, at least based on their dependency on Claim 13, are also patentable over Cornelius and Pare.

**Conclusion**

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

<p>I hereby certify that this correspondence is being electronically filed by EFS-Web in the United States Patent and Trademark Office on</p> <p>October 1, 2007 (Date of Transmission)</p> <p>Lonnie Louie (Name of Person Transmitting)</p> <p> (Signature)</p> <p>October 1, 2007 (Date)</p>	<p>Respectfully submitted,</p> <p><u>/Alexander Krayner/</u> Alexander Krayner Attorney for Applicants Reg. No. 60,854 LADAS &amp; PARRY LLP 5670 Wilshire Boulevard, Suite 2100 Los Angeles, California 90036 (323) 934-2300 voice (323) 934-0202 facsimile</p>
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Enclosure - Petition for one-month extension of time and extension fee